

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Diana Alonso Gordillo et al.	Art Unit	: 1625
Serial No.	: 10/596,188	Examiner	: Nizal S. Chandrakumar
Filed	: September 14, 2006	Conf. No.	: 3277
Title	: GSK-3 INHIBITORS ISOLATED FROM MARINE ORGANISMS		

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement having a mail date of February 1, 2008, Applicants elect Group I, "claim(s) 7-14, drawn to compounds" (Office Action, page 2). The election is made with traverse. This is discussed in more detail below.

Applicants respectfully request that the subject matter of claims 15 and 16, "methods of treating diseases" (Office Action, page 2), be rejoined and examined in concert with the compound and pharmaceutical composition claims 7-14 for at least the following reason. The present application is a U.S. National Stage application. As such, **the present application is subject to unity of invention practice in accordance with 37 CFR 1.475 and 1.499 (see MPEP § 1896)**. Each of claims 15 and 16 share a special technical feature, which is also the same special technical feature required by claim 11 (the compounds of formula (I)). In addition, 37 CFR § 1.475(b)(2) states that a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn to a combination of "[a] product and a product of use of said product," which is the case with claims 11 and 15 and 16.

Applicants note that the Office **must** follow PCT Rule 13 and not national practice in these determinations. Thus, even if the Groups were properly restricted under national practice (and Applicants do not concede that to be the case), PCT Rule 13 requires, in this case, rejoiner of the Groups. Thus, all claims, regardless of whether they are compound, pharmaceutical composition, or method of using, possess unity in the present case and should be examined in concert in the present application.

Applicant : Diana Alonso Gordillo et al.  
Serial No. : 10/596,188  
Filed : September 14, 2006  
Page : 2 of 2

Attorney's Docket No.: 18043-004US1 / F/USP290109

The fee in the amount of \$1,050 for the three month extension to and including June 2, 2008, inasmuch as June 1, 2008 was a Sunday is being paid concurrently herewith on the Electronic Filing System (EFS) by way of a Deposit Account authorization. Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 18043-004US1 / F/USP290109.

Respectfully submitted,

Date:

June 2, 2008

John T. Kendall

John T. Kendall, Ph.D.  
Reg. No. 50,680

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (877) 769-7945